IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT

THE HON'BLE SRI JUSTICE B.PRAKASH RAO
and
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.13651 of 2006

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Date: 06.07.2006

Between:

P. Rama Murthy, S/o.Late Kambagiri,
Cuddapah

..... PETITIONER

AND

1. The Commissioner and Inspector General of Registration & Stamps, A.P., Hyderabad and three others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE B.PRAKASH RAO
and
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

ORDER (Per BPR,J)

Heard Sri Shiva, learned Counsel appearing on behalf of the petitioner, learned Government Pleader for Services–II and
Sri M. Ratna Reddy, learned counsel appearing for the contesting respondents, and at their request the main writ petition is taken up for disposal.

In this writ petition, the petitioner, by way of a *Mandamus*, seeks a writ assailing the order of the Tribunal in O.A. No.2417 of 2006, dated 23.06.2006, on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, in dismissing the application filed under Section 19 of the Administrative Tribunals Act, 1985, to call for the records relating to the order of transfer, dated 21.04.2006 and to set aside the same.

The main grievance of the petitioner is that the said transfer is contrary to the guidelines laid down by the Government in G.O.Ms.No.71 Finance (WM) Department, dated 01.04.2006, and even otherwise there are some other persons, who are continuing for more than 10 years. Hence, the said transfer is bad and illegal. However, the Tribunal did not find any of the said facts and dismissed the application holding that the petitioner has got alternative remedy of appeal where he could make his grievance.

The learned counsel appearing for the respondents submits that having regard to the principle laid down by this Court in W.P.No.23960 of 2005, dated 16.11.2005, no appeal lies against the order of Tribunal. Therefore, the orders of Tribunal are not doth.

Having heard the learned counsel on either side and having regard to the facts and circumstances of the case, there is no dispute regarding transfer. Ultimately, the petitioner is trying to rest his case on

the guidelines issued in G.O.Ms.No.71, dated 01.04.2006. It is not statutory and thus *ex facie* the petitioner has no enforceable right to seek any relief. Even otherwise, when the petitioner is already transferred and has made a representation pending O.A before the Tribunal, and also in view of the fact that no appeal lies against an order of transfer, as observed by the Tribunal, we deem it appropriate to direct the authorities to consider his representation.

In view of the same, we do not find any merit in the writ petition and the same is accordingly dismissed. However, as stated earlier, since the petitioner has already filed a representation on 06.04.2006, the respondents are directed to dispose of the same as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order.

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B.Prakash Rao, J

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Ramesh Ranganathan, J

Date: 06.07.2006
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